



Honorable August B. Landis
United States Bankruptcy Judge



Entered on Docket
August 02, 2018

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Attorneys for JAMS, Inc. and Stephen Haberfeld

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Local Counsel for JAMS, Inc. and Stephen Haberfeld

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:	Case No. BK-S-15-14956-ABL
MARC JOHN RANDAZZA,	Chapter 11
Debtor.	ORDER REGARDING ORDER TO SHOW CAUSE WHY STEPHEN HABERFELD AND JAMS, INC. SHOULD NOT BE COMPELLED TO COMPLY WITH THE ORDER APPROVING SETTLEMENT AGREEMENT AND/OR HELD IN CONTEMPT AND SANCTIONED FOR WILLFUL VIOLATIONS OF THE AUTOMATIC STAY
	Hearing Date: July 31, 2018 Hearing Time: 1:30 p.m.

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The Order To Show Cause Why Stephen Haberfeld And Jams, Inc. Should Not Be Compelled To Comply With The Order Approving Settlement Agreement And/Or Held In Contempt And Sanctioned For Willful Violations Of The Automatic Stay (“OSC”) having come before this Court on July 31, 2018; Marc John Randazza (the “Debtor”) appearing by and through his counsel, Matthew Zirzow, Esq. of Larson Zirzow & Kaplan, LLC, JAMS, Inc. (“JAMS”) and Hon. Stephen E. Haberfeld (Ret.) (“Judge Haberfeld”) (JAMS and Haberfeld collectively referred to herein as the “JAMS Parties”) appearing by and through their counsel Jessica MacGregor, Esq. of Long & Levit, Lawrence Jacobson, Esq. of Cohen and Jacobson, LLP, and Jeanette E. McPherson, Esq. of Schwartzer & McPherson Law Firm; the Court having reviewed the pleadings on file and having heard the argument and proposals of the Debtor and the JAMS Parties; and in full resolution of the OSC and for good cause shown, it is hereby

ORDERED that to effectuate the Court’s order approving the settlement between the Debtor and the Excelsior Parties, the Court further orders that the Interim Arbitration Award issued in the Arbitration is hereby deemed vacated and dismissed; and

ORDERED that the automatic stay be and is hereby modified to authorize and allow JAMS and Stephen Haberfeld to terminate the arbitration proceeding and close its file with no other action to be taken; and

ORDERED that the parties to the OSC, the Debtor and the JAMS Parties, shall bear their own attorneys’ fees and costs; and

ORDERED that nothing in this order shall be deemed a finding of contempt; and

ORDERED that the court reserves jurisdiction over the interpretation and enforcement of this order; and

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ORDERED that upon entry of this Order, the hearing scheduled for September 4, 2018 at 9:30 a.m. regarding the OSC shall be vacated.

Submitted by:

/s/ Jessica R. MacGregor
Jessica R. MacGregor, Esq.
Long & Levit LLP

-and-

Lawrence A. Jacobson, Esq.
Cohen and Jacobson, LLP

Attorneys for JAMS, Inc. and Stephen Haberfeld

-and-

Jeanette E. McPherson, Esq.
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Local Counsel for JAMS, Inc. and Stephen Haberfeld

Approved/Disapproved:

/s/ Matthew Zirzow
Matthew Zirzow, Esq.
Larson Zirzow & Kaplan, LLC

Attorneys for Debtor

LR 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

☐ The court waived the requirement of approval under LR 9021(b)(1).

☐ No party appeared at the hearing or filed an objection to the motion.

☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated above.

☐ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objection to the form or content of the order.

/s/ Jeanette E. McPherson
Jeanette E. McPherson, Esq.
Schwartzter & McPherson Law Firm

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